IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1369 OF 2006

Zejiang Cathaya International
Co. Limited .. Petitioner.
V/s.
Union of India & Others .. Respondents.

Mr.K.K. Kishore for the petitioner.

CORAM : V.C. DAGA &
J.P. DEVADHAR, JJ.

DATED : 7TH JUNE, 2006.

P.C. :

Heard learned counsel for the petitioner.

Perused petition.

3. The petition involves disputed question of fact. The importer and the foreign sellers both are claiming title. The goods in question have already been sold in public auction in the month of July, 2005. The question sought to be raised in this petition thus, cannot be entertained and adjudicated upon in the writ jurisdiction of this Court under Article 226 of the Constitution of India.

4. The petition is, therefore, dismissed in limine leaving it open for the petitioner to agitate its claim, if any, in any other forum as may be available in law with no order as to costs.

(V.C. DAGA, J.)

(J.P. DEVADHAR, J.)